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Nolen Scott Ely, Monica Marta-Ely, Ray Hubert,  
Victoria Hubert et al,  
JEJ

Plaintiffs

ORDER

-against-

Cabot Oil & Gas Corporation et al,

Defendants.  
-----X

CASE NO. 3:09-cv-02284-

RESPONSE TO JUDGE'S

DOCUMENT 369

**FILED  
SCRANTON**

**FEB 19 2013**

PER M  
DEPUTY CLERK

We are the plaintiffs. Right now we have no attorneys representing us. This is our response to the Court's order Document 369 from February 15, 2013 at 8:52 AM:

- Attached as Exhibit 1 are the orders of Judge Labuskes of the Environmental Hearing Board reopening and reinstating the administrative appeals of Nolen Scott Ely, Monica Marta Ely, Ray Hubert and Victoria Hubert.
- Attached as Exhibit 2 is the order and opinion of Judge Labuskes of the Environmental Hearing Board denying Cabot's attorney's motion to dismiss the appeals of Nolen Scott Ely, Monica Marta Ely, Ray Hubert and Victoria Hubert.
- Also attached, as Exhibit 3, is the docket sheet for the administrative appeals showing the continuous involvement of Amy Barrette (Cabot's attorney in this lawsuit) as counsel of record to Cabot in the administrative appeals of Nolen Scott Ely, Monica Marta Ely, Ray Hubert and Victoria Hubert from May 5, 2011 until November 27, 2012.
- Also attached, as Exhibit 4, is a copy of the email letter dated

February 12, 2013 from Nolen Scott Ely, Monica Marta Ely, Ray Hubert and Victoria Hubert to the Court copying Amy Barrette and Ken Komoroski and referred to by the Court in his order.

- Also attached, as Exhibit 5, is a copy of Amy Barrette's letter dated February 15, 2013 and emailed to the court at 10:09 AM, and copying Nolen Scott Ely, Monica Marta-Ely, Ray Hubert and Victoria Hubert implying plaintiffs want confidentiality, objecting to the relief we requested and asking for a status conference without a motion.
- Also attached, as Exhibit 6, is a copy of the email sent by Nolen Scott Ely, Monica Marta-Ely, Ray Hubert and Victoria Hubert to Amy Barrette and Ken Komoroski on February 15, 2013 seeking their concurrence to the relief sought and denying that we have any interest in keeping confidential any aspect of our lawsuits other than the details of recent settlement talks as previously agreed to which are not to be shared with anyone other than the parties. (Also, for the Court's information is Exhibit 7, a copy of entries made on February 15, 2013 on the website of a group with known ties to Cabot that targets the Elys and the Huberts and publicly mocks them for continuing their appeals.)
- It appears Cabot does not concur with the relief sought by Nolen Scott Ely, Monica Marta-Ely, Ray Hubert and Victoria Hubert. Nolen Scott Ely, Monica Marta-Ely, Ray Hubert and Victoria Hubert object to a status conference without filing of a motion by Cabot's attorneys.

Respectfully,

Nolen Scott Ely

/s/ 

Monica Marta-Ely

/s/ 

Ray Hubert

/s/ 

Victoria Hubert

/s/  
*Victoria Hubert*

cc: Amy Barrette, Ken Komoroski, Fulbright & Jawarski

-----X  
Nolen Scott Ely, Monica Marta-Ely, Ray Hubert,  
Victoria Hubert et al,

CASE NO. 3:09-cv-02284-JEJ

Plaintiffs

CERTIFICATE OF  
NONCONCURRENCE

-against-

Cabot Oil & Gas Corporation et al,

Defendants.

-----X  
We are the plaintiffs. Right now we have no attorneys representing us. We have tried to obtain the concurrence of Cabot's attorneys regarding our request for relief of the Court in our letter dated February 12, 2013 and cannot.

Respectfully,

Nolen Scott Ely

/s/ 

Monica Marta-Ely

/s/ 

Ray Hubert

/s/ 

Victoria Hubert

/s/ 